

**Order re: Small Business Plan and Disclosure Statement
and Notice of Deadlines
L.B.F. 3017.1-1.1**

[Caption as in Official Form 416A]

**ORDER RE: SMALL BUSINESS PLAN AND DISCLOSURE STATEMENT, AND
NOTICE OF DEADLINES**

The debtor is a “small business debtor” as that term is defined in 11 U.S.C. § 101(51D). Pursuant to 11 U.S.C. § 1125(f)(3)(A), the debtor requested the court to conditionally approve the disclosure statement dated _(month/day/year)_ with respect to the debtor’s plan. The court has reviewed the plan and disclosure statement and has preliminarily determined the disclosure statement contains adequate information. Therefore, it is

ORDERED, and notice is hereby given, that:

- A. The disclosure statement filed by _____ is conditionally approved, subject to final approval after notice and a hearing.
- B. On or before _(month/day/year)_, counsel for the debtor must file with the court and serve the plan, disclosure statement, a copy of this order and a suitable ballot for accepting or rejecting the plan on all creditors, equity security holders, and other parties in interest as provided in FED. R. BANKR. P. 3017(d),
- C. On or before _(month/day/year)_, counsel for the debtor must file a certificate of service of the plan, disclosure statement, order and ballot with the court.
- D. _(month/day/year)_, is fixed as the last day for filing written acceptances or rejections of the plan referred to above.
- E. _(month/day/year)_, is fixed as the last day for filing and serving in accordance with FED. R. BANKR. P. 3017(a) and L.B.R. 3017-1(b), written objections to the disclosure statement. If no objections to or requests to modify the disclosure statement are filed within the time fixed, the conditional approval of the disclosure statement may become final. Any objections to or requests to modify the disclosure statement will be considered at the commencement of the confirmation hearing held pursuant to 11 U.S.C. § 1128(a) and FED. R. BANKR. P. 3020(b).
- F. _(month/day/year)_, is fixed as the last day for filing and serving written objections to confirmation of the plan pursuant to FED. R. BANKR. P. 3020(b)(1).
- G. On or before _(month/day/year)_, counsel for the debtor must prepare and file with this court, a summary report on the ballots. The report must reflect the name of the creditor by class as designated in the plan, the acceptance, rejection, or if no vote cast by the creditor, the amount of each creditor’s claim or amount of each creditor’s vote. The report must be summarized by each class of creditor established in the plan and must indicate if the number of

acceptances obtained were by the holders of two-thirds in amount and more than one-half in number of claims in each class voting on the plan. The report must also identify and respond to any timely-filed objections to confirmation. A copy of the report must be served on the United States Trustee, each member of the Unsecured Creditors' Committee and counsel for the Unsecured Creditors' Committee, and any party objecting to confirmation of the plan or to the disclosure. The original report as filed with the Clerk of the court must have a certificate of service reflecting proper service on the parties as indicated.

H. The hearing on confirmation of the plan and to consider final approval of the disclosure statement is scheduled as follows:

DATE:

TIME:

COURTROOM:

I. Witnesses and Exhibits: (Insert specific instructions here or refer parties to L.B.R. 9070-1).

Dated: _____

BY THE COURT:

United States Bankruptcy Judge

Commentary

[Source: Director's Form 3130S (Form 13S) (12/15)]

